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SUBJECT: ICRC RELAUNCHES PRISON VISIT PROGRAM IN EQUATORIAL GUINEA

REF: Malabo 143 and Previous

11. (SBU) On Thursday, June 18 and Friday, June 19, two senior officials of the International Committee of the Red Cross (ICRC) successfully reinstituted a program of prison visits in Equatorial Guinea. In March of 2008 the ICRC suspended such visits when it determined that some of the agreed-upon terms of the memorandum of understanding were not being met -- specifically access to all prisoners. The ICRC officials, who were delayed several days while awaiting official approvals during a period that included distractions such as presidential birthday celebrations, the death neighboring Gabonese President Bongo, two high-level bilateral visits (including Egyptian and Ethiopian officials) and the birth of the first son of Minister of Justice Ondo (the ICRC's primary point of contact). The ICRC overcame the last hurdle to reinstitution of visits by securing approval from Minister of Defense Antonio Mba Nguema, whose signature did not originally appear with that of the minister of justice (MOJ). While the MOJ has authority over prisons in EG, these institutions are partially staffed by the MOD.

12. (SBU) Once approval came, the ICRC officials reported that their prison visit to Malabo's Black Beach Prison went fairly smoothly. They described the first day as being a "occasionally uncomfortable" as prison officials displayed suspicion and occasional resistance to the ICRC's reentry after such long absence. By Friday, a level of comfort had returned and the ICRC team informed the embassy that they conducted remaining business with no questions or challenges and were generally "well received." The team was given a list of 146 prisoners, all of whom were present. The team was able to speak at will with all prisoners who consented to interviews, to include Simon Man and others convicted in the attempted 2004 coup attempt, and seven Nigerians on trial for supporting the more-recent, February 17 water-borne attack on the presidential compound.

13. (SBU) Three prisoners, alleged by many human rights groups to be present in Black Beach -- and the main point of contention that led to the ICRC suspension of activities last year -- were determined not to be present at this time. The ICRC team was "reasonably confident" they had access to all prisoners in Black Beach, and even visited administrative and other areas to ensure no prisoners were overlooked. They described conditions as reasonably good, although poor quality of food, the absence of adequate healthcare and lack of daily exercise outside of cells were common complaints. No prisoners were found in shackles and there were no related complaints, according to the ICRC team. While a larger ICRC team will return in the future to conduct a more thorough visit of Black Beach (along with other detention

facilities) the present team (which included a medical doctor) stated it "could not confirm" charges made by UNSCR Nowak (REFTEL) of systematic or other torture.

14. (SBU) COMMENT: The embassy has been active in brokering ICRC reentry into EG. Delays experienced appear not to have been politically motivated, although EG officials remain very apprehensive on this issue set following Nowak's 2008 visit and ensuing spectacular public statements. The two ICRC officials, while frustrated by a delay, were "pleased" with the results once they came. Continued progress will lead to reopening the ICRC office in EG, we are told, and the two officials will press ICRC headquarters to quickly field another team that can spend more time on the ground so as to maintain momentum and regularize ICRC presence in the country. A "nudge" from the USG might help accelerate related ICRC headquarters' decisions, they said at departure.

SMITH